

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently Amended) A recombinant nucleic acid encoding an Apop3 protein that comprises an amino acid sequence at least 85% identical to the amino acid sequence depicted in Figure 6 (SEQ ID NO:6), wherein the Apop3 protein effects induces apoptosis.

2. (Previously Amended) A recombinant nucleic acid according to claim 1 comprising the nucleotide sequence depicted in Figure 5 (SEQ ID NO:5) or its complement.

3. (Previously Amended) A recombinant nucleic acid according to claim 1 wherein said nucleic acid hybridizes under high stringency conditions to the nucleotide sequence depicted in Figure 5 (SEQ ID NO:5) or its complement, wherein the hybridization takes place at 60°C in the presence of between 0.01 M and 1.0 M sodium ion, and at a pH between 7.0 and 8.3.

4. (Previously Amended) A recombinant nucleic acid according to claim 1 wherein said nucleic acid comprises a nucleotide sequence at least 85% identical to the nucleotide sequence depicted in Figure 5 (SEQ ID NO:5) or its complement.

5. (Previously Amended) A recombinant nucleic acid according to claim 1 wherein said Apop3 protein comprises the amino acid sequence depicted in Figure 6 (SEQ ID NO:6)

6. (Original) A recombinant nucleic acid according to claim 1 wherein said Apop3 protein is a human Apop3 protein.

6. (Previously Amended) A recombinant nucleic acid comprising nucleotides 1-822 depicted in Figure 5 (SEQ ID NO:5), or its complement.

7 8. (Original) A recombinant nucleic acid according to claim 1 operably linked to control sequences recognized by a host cell transformed with the nucleic acid.

7 9. (Original) An expression vector comprising the nucleic acid of claim 1.

8 10. (Original) A host cell comprising the nucleic acid of claim 1.

10 11. (Original) A host cell comprising the expression vector of claim 9.

11 12. (Currently Amended) A recombinant Apop3 protein comprising an amino acid sequence at least 85% identical to the amino acid sequence depicted in Figure 6 (SEQ ID NO:6), wherein the Apop3 protein affects induces apoptosis.

12 13. (Previously Amended) An Apop3 protein according to claim 12 comprising the amino acid sequence depicted in Figure 6 (SEQ ID NO:6).

13 14. (Previously Amended) An Apop3 protein according to claim 12 wherein said Apop3 protein is encoded by a nucleic acid comprising the nucleotide sequence depicted in Figure 5 (SEQ ID NO:5) or its <sup>full</sup> complement.

14 15. (Previously Amended) An Apop3 protein according to claim 12 wherein said Apop3 protein is encoded by a nucleic acid which nucleic acid comprises a nucleotide sequence at least 85% identical to the nucleotide sequence depicted in Figure 5 (SEQ ID NO:5) or its <sup>full</sup> complement.

15 16. (Previously Amended) An Apop3 protein according to claim 12 wherein said Apop3 protein is encoded by a nucleic acid which nucleic acid will hybridize under high stringency conditions to the <sup>full complement of the</sup> nucleotide sequence depicted in Figure 5 (SEQ ID NO:5) or its complement, wherein the hybridization takes place at 60°C in the presence of between 0.01 M and 1.0 M sodium ion, and at a pH between 7.0 and 8.3.

17. (Original) An Apop3 protein according to claim 12 wherein said Apop3 protein is a human Apop3 protein.

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16. 18. (Currently Amended) A recombinant Apop3 protein comprising the amino acid sequence 1-274 depicted in Figure 6 (SEQ ID NO:6), wherein the Apop3 protein affects induces apoptosis.

17. 19. (Original) A process for producing an Apop3 protein according to claim 12 comprising culturing the host cell of claim 10 under conditions suitable for expression of said Apop3 protein.

18. 20. (Original) A process according to claim 19, further comprising recovering said Apop3 protein.

21-24. (Cancelled)

19. 21. (Currently Amended) A method for screening for a bioactive agent capable of modulating the <sup>apoptotic</sup> activity of an Apop3 protein according to claim 12, said method comprising the steps of:

- adding a candidate bioactive agent to a cell comprising a recombinant nucleic acid encoding said Apop3 protein, wherein said Apop3 protein affects induces apoptosis; and
- determining the effect of the candidate bioactive agent on apoptosis, thereby determining the ability of the candidate bioactive agent to modulate the <sup>apoptotic</sup> activity of the Apop3 protein.

20. 22. (Original) A method according to claim 21 wherein a library of candidate bioactive agents is added to a plurality of cells comprising a recombinant nucleic acid encoding said Apop3 protein.

21. 23. (New) The recombinant nucleic acid according to claim 1 wherein said nucleic acid comprises a nucleotide sequence at least 90% identical to the nucleotide sequence depicted in Figure 5 (SEQ ID NO:5) or its <sup>full</sup> complement.

*27 24* 28. (New) The recombinant nucleic acid according to claim 1 wherein said nucleic acid comprises a nucleotide sequence at least 95% identical to the nucleotide sequence depicted in Figure 5 (SEQ ID NO:5) or its <sup>full</sup> complement.

*27 25* 29. (New) The Apop3 protein according to claim *12*, comprising an amino acid sequence at least 90% identical to SEQ ID NO:6.

*27 26* 30. (New) The Apop3 protein according to claim *12*, comprising an amino acid sequence at least 95% identical to SEQ ID NO:6.